

REMARKS

Claims 1-10 and 12 are pending in the above-identified application.

Issues under 35 U.S.C. § 103(a)

Claims 1-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Satoshi '958 (Japanese Patent Application No. 10-248958) in view of Oka '402 (USP 5,078,402). This rejection is reversed for the following reasons.

Present Invention and Its Advantages

The present invention is directed to a golf ball having as one significant feature a minimum percentage of dimples with a contour length of 11.6 mm or more, wherein this minimum percentage is 55% as recited in claim 1. The golf balls of the present invention exhibit advantageously improved flight performance and shot feel properties as shown in Tables 7 and 8 on pages 24-25 of the specification wherein Examples 1-11 (present invention) exhibit these advantageous properties over Comparative Examples 1-6. In this regard, it is noted that Comparative Examples 1, 2 and 6 all have dimples with appropriate contour lengths and a proportion of

44% which is lower than the 55% proportion of the golf balls of the present invention.

Distinctions between Present Invention and Satoshi '958

Satoshi '958 is mentioned at page 1 of the present specification. Satoshi '958 includes a "computer translation" into English which describes various materials for the core and cover of various golf balls. Satoshi '958 discloses in [0016]-[0017] a core which exhibits a compression in the range of 2.5-4.5 mm by applying an initial load of 10 kg up to 130 kg. The computer translation of Satoshi '958 does not include specific information regarding the dimple diameter or contour lengths of the dimples. It appears that all the examples of Satoshi '958 are golf balls having a diameter of 42.7 mm.

Satoshi '958 fails to disclose or suggest the golf ball of the present invention which includes the feature of having at least 55% of the dimples with a contour length of greater than or equal to 11.6 mm. Therefore, significant patentable distinctions exist between the present invention and Satoshi '958.

Distinctions Between Present Invention and Oka '402

Oka '402 discloses a golf ball which includes dimples arranged in specified geometrical configurations numbering in a range of 300-600. Oka '402 discloses in Table 4 at columns 8-9 Example 1-4 (relating to the described invention) and Comparative Example 1-5. The diameters of the different groups of dimples are shown in the left-hand column. In this regard, attached as Exhibit A is a reproduction of the first two columns of Table 4 along with a disclosure of the dimple contour length information, including the percentage of dimples having the minimum contour length required in accordance with the golf ball of the present invention. As is evident from Exhibit A, none of Example 1-4 described to be consistent with the disclosed invention have acceptable contour length dimple percentages higher than 42.1%. Thus, it is clear that Oka '402 fails to recognize the advantages achieved by the golf ball of the present invention wherein the minimum percentage of acceptable contour length dimples is said to be at least 55% resulting in advantageously improved flight performance and shot feel properties as discussed above in connection with the comparative test results disclosed in the present specification. Further, a review of Exhibit A in conjunction with Table 4 of Oka '402 shows that only Comparative Embodiment 1 has a contour length

dimple percentage as high as 50%, but this Comparative Example is described in Table 5 to exhibit properties which were comparatively inferior to those of the embodiments of the disclosed invention. Consequently, Oka '402 actually "teaches away" from employing a high percentage of appropriate contour length dimples as in the golf ball of the present invention. Therefore, numerous significant patentable distinctions exist between the present invention and Oka '402 such that the above-noted rejection based on this document should be withdrawn.

In addition to the above, it is further submitted that even if Oka '402 and Satoshi '958 are hypothetically combined together, the resulting hypothetical combined disclosure would still fail to disclose or suggest a golf ball having at least 55% of the dimples with a contour length of 11.6 mm or greater as in the present invention.

As a minor side note, it is pointed out that the Office Action at the bottom of page 2 thereof includes a minor error, since the minimum diameter required to provide a contour length of at least 11.6 mm is 3.69 mm (not "3.5 mm" as noted in the Office Action).

Conclusion

It is submitted for the reasons stated above that the present claims define patentable subject matter such that this application should now be placed condition for allowance.

If any questions arise regarding the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants hereby petition for an extension of one (1) month to July 17, 2004, in which to file a reply to the Office Action. The required fee of \$110.00 is enclosed herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

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required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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Attachment(s): Exhibit A